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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/707,765	11/08/2000	Haruo Soeda	0879-0285P	9947

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EXAMINER

TRAN, DOUGLAS Q

ART UNIT PAPER NUMBER

2624

DATE MAILED: 09/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/707,765

Applicant(s)

SOEDA ET AL.

Examiner

Douglas Q. Tran

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-22 is/are pending in the application.
- 4a) Of the above claim(s) 2-5, 10-12 and 14-22 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-9 and 13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DOUGLAS Q. TRAN
PRIMARY EXAMINER

Douglas Q. Tran

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 6-7, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Banton (US Patent No. 6,048,117) in combination with Shibuya et al. (US Patent No. 6,031,629).

As to claim 6, Banton teaches an image outputting system (fig. 1), comprising:

an image outputting apparatus (i.e., a multi-function device 15 in fig. 1) comprising:

a reading device (i.e., a scanner 20 in fig. 1), which reads an image (the scanner 20 for reading the original image);

a printing device (i.e., a printer 25 in fig. 1) which prints the image (the printer 25 for printing the original image);

a network connecting device (i.e., a LAN Port 40 in fig. 1) connectable to an external device (i.e., a calibration server 80 in fig. 1) via a network (10 in fig. 1; col. 3, lines 24-25); and

a correcting device (i.e., a controller 35 in fig. 1) which corrects printing color based on printing color correcting information (i.e., the color correction table) received via the network (col. 3, lines 36-38: a calibration server 80 is a device configured to perform calibration based on received color patch test patterns from the test pattern 100 which is generated by the multi-functional device 15 "col. 3, lines 45-50". Col. 4, lines 13- 46 describes that the calibration server 80 for processing the calibration print 100,

and generating the color correction table “col. 4, lines 34-39” which is transmitted back to the correct printing device such as the multi-function device 15. Thus, the controller 35 “fig. 1” of the multi-functional device 15 can applied to the color correction table for correcting printing color tone.

It is noted that the color correction table, which would be considered as the printing color correcting information, is applied for correcting the printing color tone at the multi-function device 15 “fig. 1”; and the controller 35 “fig. 1”, which controls the multi-functional device 15, would be considered as the correcting device for correcting printing color tone based on the color correction table provided by the calibration server 80); and

a network server (i.e., a calibration server 80 in fig. 1) connected to the network for sending the printing color correcting information (i.e., the color correction table) to the image outputting apparatus via the network (col. 4, lines 13- 46 describes that the calibration server 80 for receiving and processing the calibration print 100 from the multi-functional device 15 “fig. 1”, and generating the color correction table “col. 4, lines 34-39” which is transmitted to the correct printing device such as the multi-function device 15).

However, Banton does not teach the image outputting apparatus comprising a humidity measuring device which measures humidity in proximity to the printing device; and the correcting device corrects printing color based on printing color correcting information and the measured humidity.

Shibuya, in the same field of endeavor “printing color processing”, teaches the image outputting apparatus (fig. 1) further comprises a humidity measuring device (i.e., a temperature and humidity sensor 3 in fig. 1) which measures humidity in proximity to the printing device (col. ; and the correcting device (i.e., the color correction means 9) corrects printing color based on printing correcting information related to the measured humidity (col. 3, lines 28-39).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the print controller 15 of Banton for correcting the printing color based on not only the received correcting information but also the humidity measured by the humidity measuring device as taught by Shibuya. The suggestion for modifying the print controller of Banton can be reasoned by one of ordinary skill in the art as set forth above by Shibuya because the modified controller would increase the efficiency of the printing system by correcting the print color when the humidity of the printer change at the printing time. Such a modification would improve the image quality on the recording materials.

As to claim 7, Banton and Shibuya disclose every feature discussed in claim 6.

Although Banton does not explicitly teach the calibration server receives more condition such as the measured humidity from the printer so that the color correction table (i.e., the printing color correcting information) is generated based on the received status of the measured humidity, the calibration server receives more conditions of the printer and the color correction table generated based on more conditions including the measured humidity information which would be obvious to the teaching of Banton because the measured humidity condition which would be among the status conditions of the print device, which is well known in the prior art and taught by Shibuya in claim 6 above.

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It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the color correction table of Banton to be generated based on the received conditions of the multi-function device including the measured humidity condition. The suggestion for modifying the color correction table of Banton can be reasoned by one of ordinary skill in the art because the modified color correction table would provide more efficient correction of the printing color at the multi-functional device.

As to claim 13, Banton and Shibuya disclose every feature discussed in claim 6. Shibuya further teaches the image is a photographic image or characters from a handwritten document (i.e., picture data 1 in fig. 1).

3. Claims 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Banton and Shibuya in combination with Ishikawa (U.S. Patent No. 4,888,618).

As to claim 8, Banton and Shibuya disclose every feature discussed in claim 6.

However, the combination of Banton and Shibuya does not teach the correcting device corrects printing color based on a history of the measured humidity.

Ishikawa teaches the correcting device corrects printing color based on a history of the measured humidity (col. 8, lines 3-8).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the correction device of Banton for correcting the printing color based on a history of the measured humidity as taught by Ishikawa. The suggestion for modifying the print controller of Banton can be reasoned by one of ordinary skill in the art as set forth above by Ishikawa because the modified controller would increase the efficiency of the

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printing system by correcting the print color when the humidity of the printer change at the printing time and the history of the recording humidity. Such a modification would improve the image quality on the recording materials.

As to claim 9, Banton, Shibuya and Ishikawa disclose every feature discussed in claim 8.

Although Banton does not explicitly teach the calibration server receives more condition such as the measured humidity from the printer so that the color correction table (i.e., the printing color correcting information) is generated based on the received status of the measured humidity, the calibration server receives more conditions of the printer and the color correction table generated based on more conditions including the measured humidity information which would be obvious to the teaching of Banton because the measured humidity condition which would be among the status conditions of the print device, which is well known in the prior art and taught by Shibuya in claim 8 above.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the color correction table of Banton to be generated based on the received conditions of the multi-function device including the measured humidity condition. The suggestion for modifying the color correction table of Banton can be reasoned by one of ordinary skill in the art because the modified color correction table would provide more efficient correction of the printing color at the multi-functional device.

Response to Arguments

4. Applicant's arguments filed 8/17/05 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a **new**

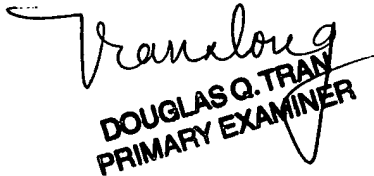
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ground(s) of rejection is made in view of Shibuya et al. (US Patent No. 6,031,629) and Ishikawa (U.S. Patent No. 4,888,618).

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas Q. Tran whose telephone number is (571) 272-7442 or E-mail address is Douglas.tran@uspto.gov.

Douglas Q. Tran
Sep. 01, 2005


DOUGLAS Q. TRAN
PRIMARY EXAMINER